

Response Under 37 C.F.R. § 1.111
USSN 10/035,293
Attorney Docket Q67865
June 6, 2005

set forth in the claims clearly distinguish the claims of the present application over the claims of the '772 application. Therefore, it is respectfully requested that the rejection be withdrawn.

With respect to the obviousness-type double patenting rejection of Claims 1-8 in view of Claims 1-11 of application 10/407,598 the rejection is respectfully traversed.

Application no. 10/407,598 teaches a heat exchange unit of substantially different structure, wherein the inner chamber of the heat exchange plates forming such a unit has an increasing or decreasing size. This feature, which is the characterizing and thus the essential feature of the copending application, is clearly not contained in present Claim 1.

Moreover, the characterizing features of the heat exchange unit according to present Claim 1, i.e. cross dimensions of the exchangers smaller than those of the manhole opening, are neither disclosed nor suggested in application No. 10/407,598. Not only is there no single word in the copending application about these features, but also the attached figure 1 shows heat exchangers 11 clearly not suitable to be inserted or extracted through the apertures represented in the reactor upper and lower bottoms, respectively.

The effect resulting from these distinguishing features is that the heat exchange units according to the present invention can be easily extracted from the reactor for maintenance operations or for its replacement when broken or obsolete (revamping).

Therefore, the objective technical problem to be solved by the present invention is that of providing a heat exchange unit, which allows an easy and simplified maintenance as well as replacement (revamping) of the same once installed in the chemical reactor.

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As seen above, the technical problem and the claimed solution thereof are neither disclosed nor suggested by the copending application. On the contrary, the latter document is concerned with a totally different technical problem (maintaining constant heat exchange capability in the reactor when in operation: see publication, page 1, paragraph 0010) and suggests a completely different solution (plate inner chambers of variable size).

In view of the foregoing it is submitted that Claims 1-8 inclusive of the present application would not be the least bit obvious in view of the claims of copending application 10/407,598. Therefore, it is respectfully requested that the rejection be withdrawn.

In summary, in view of the Terminal Disclaimer submitted with respect to application 09/852,014 and in view of the arguments presented along with a request to withdraw the other two obviousness-type double patenting rejections, it is respectfully requested that Claims 1-18 inclusive be allowed and the application passed to issue forthwith.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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